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PTO-1390 (Rev. 10-2004)

Approved for use through 03/31/2007 OMB 0651-0021

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TRANSMITTAL LETTER TO THE UNITED STATES

ATTORNEY'S DOCKET NUMBER

	ANSMITTAL LETTER T	246152023700							
	DESIGNATED/ELECTED CERNING A SUBMISSI	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)							
		109946061							
	FIONAL APPLICATION NO. PCT/EP03/005726	INTERNATIONAL FILING DATE 28 May 2003	PRIORITY DATE CLAIMED 30 May 2002						
		TINASES AND USES THEREOF							
APPLICANT(S) FOR DO/EO/US Richard ALBANG et al.									
APPLICANT(S) FOR DO/EO/US Richard ALBANG et al.									
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:									
1. X	1. This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.								
2.	This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.								
	This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.								
4. x	The US has been elected (Article 31).								
5. x	A copy of the International Application as filed (35 U.S.C. 371 (c)(2))								
а.	is attached hereto (required only if not communicated by the International Bureau).								
b.	x has been communicated by the International Bureau.								
c.	is not required, as the application was filed in the United States Receiving Office (RO/US).								
6 <i>A</i>	An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).								
а.	is attached hereto.								
b. [has been previously submitted under 35 U.S.C. 154(d)(4).								
7. x	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))								
а. [are attached hereto (required only if not communicated by the International Bureau).								
b. 🗌	have been communicated by the International Bureau.								
с. [have not been made; however, the time limit for making such amendments has NOT expired.								
d. [x have not been made and will not be made.								
<u></u>	An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).								
=	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).								
	An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).								
Items 11 to 20 below concern document(s) or information included:									
11/	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.								
12 <i>A</i>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.								
13. x	A preliminary amendment. (5 pages)								
14. x	An Application Data Sheet under 37 CFR 1.76. (10 pages)								
15. A	A substitute specification.								
16. A	A power of attorney and/or change of address letter.								
17. A	A computer-readable form of the sequence listing in accordance with PCT Rule 13 <i>ter</i> .2 and 37 CFR 1.821 - 1.825.								
18. A	A second copy of the published International Application under 35 U.S.C. 154(d)(4).								
19. A	A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).								
20. × 0	Other items or information: Return Receipt Postcard								

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U.S. APPLICATION NO. (if Anown, see 27 CFR 1.57 4 INTERNATIONAL APPLICATION NO.				ATTORNEY'S DOCKET NUMBER					
≜No Yet ✓	ssigned O I	PCT/EP03/005726		246152023700					
21. x The followi	CALCULATIONS	PTO USE ONLY							
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):									
Neither international preliminary examination fee (37 CFR 1.482)									
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO									
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO									
International preliminary exami but international search fee (37									
International preliminary exami but all claims did not satisfy pro									
International preliminary exar and all claims satisfied provis	j								
· · · · · · · · · · · · · · · · · · ·	APPROPRIATE BAS			\$ 950.00	1				
Surcharge of \$130.00 for				-					
from the earliest claimed p	\$	· · ·							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE						
Total claims	22-20 =	2	× 18.00	\$ 36.00					
Independent claims	2-3 =		×	\$ 0.00					
MULTIPLE DEPENDE			+	\$					
		TAL OF ABOVE CAL		\$ 986.00					
Applicant claims sn are reduced by ½.	ndicated above	s							
		S	UBTOTAL =	\$ 986.00					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).									
	\$ 986.00								
TOTAL NATIONAL FEE = \$ 986.00 Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$									
	\$ 986.00								
•	Amount to be refunded:	\$							
	Amount to be charged:	s							
a. A check in the amount of \$ to cover the above fees is enclosed.									
b. x Please charge my Deposit Account No. 03-1952 in the amount of \$ 986.00 to cover the above fees. A duplicate copy of this sheet is enclosed.									
c. x The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any									
overpayment t	o Deposit Account No.	03-1952	A duplicate copy o	f this sheet is enclosed.					
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive									
(37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO:									
Kate H. Murashige SIĞNATURE:									
MORRISON & FOERSTER LLP Kate H. Murashige									
3811 Valley Centre Drive, Suite 500 NAME San Diago, California, 93130									
San Diego, California 92130 (858) 720-5112 29,959									
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envelope addressed to: MS PCT, Commissioner for Patents, P.Q. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 30, 2004

Signature:

(Rebecca McElroy)